

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:10-cv-00439-W

FILED
CHARLOTTE, NC

APR 12 2012

US DISTRICT COURT
WESTERN DISTRICT OF NC

LENDINGTREE, LLC, a Delaware limited liability company,)

Plaintiff,)

vs.)

ZILLOW, INC., a Washington corporation;)

NEXTAG, INC., a Delaware corporation;)

QUINSTREET, INC., a Delaware)

corporation; QUINSTREET MEDIA, INC.,)

a Nevada corporation; ADCHEMY, INC., a)

Delaware corporation; and LEADPOINT,)

INC. D/B/A SECURERIGHTS, a Delaware)

corporation,)

Defendants.)

ORDER

THIS MATTER is before the Court pursuant to the parties' Claim Construction Briefs. After reviewing the pleadings, exhibits thereto, and applicable law and following oral argument by the parties, the Court issues this partial ruling on the parties' claim construction briefs.

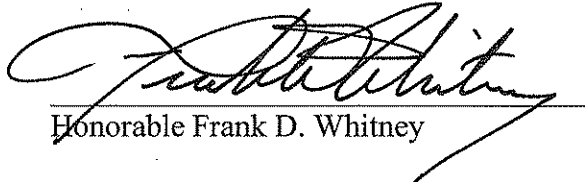
CLAIM CONSTRUCTION CHART

Term, Phrase, or Clause	Court's Construction
"qualification form" ('816 Patent, Claims 1, 7, 9, 11, '594 Patent, Claim 1)	an electronic form containing sufficient credit data for a lending institution to make a decision to extend or deny credit
"financial services application" ('816 Patent, Claim 18)	an electronic form containing sufficient credit data for a lending institution to make a decision to extend or deny credit

Term, Phrase, or Clause	Court's Construction
"selection criteria" ('816 Patent, Claims 1, 5, 7, 18, and 22, '594 Patent, Claims 1, 6, and 7)	criteria, provided by a lending institution, that are used to determine whether the lending institution will receive a user's credit data
"credit data" ('816 Patent Claims 1, 2, 7, 9, 11, 18, 22, 23, '594 Patent Claims 1, 3, 7, 8, 9, 10, 11, 13, and 14)	information entered on the qualification form sufficient for a lending institution to make a decision to extend or deny credit
"a decision" ('816 Patent, Claim 19, '594 Patent, Claim 1)	AGREED: an acceptance, denial or request for more information
"a closure of" ('594 Patent, Claim 13)	AGREED: a completed credit transaction
"offers" ('816 Patent, Claim 19)	a proposal to extend credit that can be accepted by the user to create mutual assent
"Positive credit decisions" ('816 Patent, Claim 20, '594 Patent, Claim 1)	a proposal to extend credit that can be accepted by the user to create mutual assent

IT IS SO ORDERED.

Signed: April 12, 2012


Honorable Frank D. Whitney